

# CITY of ALBUQUERQUE

## TWENTY-FIRST COUNCIL

COUNCIL BILL NO. F/S O-14-27 ENACTMENT NO. 0-2015-003

SPONSORED BY: Isaac Benton

1 ORDINANCE

2 ADOPTING A NEW SECTION IN ARTICLE 5 ROA 1994, STREETS AND  
3 SIDEWALKS, TO BE KNOWN AS THE "COMPLETE STREETS ORDINANCE,"  
4 AMENDING §2-12 ROA 1994, CAPITAL IMPROVEMENTS PROGRAM, TO  
5 SPECIFY COMPLIANCE WITH THE COMPLETE STREETS ORDINANCE, AND  
6 AMENDING §4-3-7-5 ROA 1994, TRANSPORTATION INFRASTRUCTURE TAX,  
7 TO UPDATE DEFINITIONS.

8 SECTION 1. Findings and Intent. The City Council hereby finds:

9 (A) That much of Albuquerque's existing roadway system was built to  
10 facilitate access to destinations by personal automobile, resulting in streets  
11 that are uninviting and impractical for other users; and

12 (B) There is a growing acceptance nationwide of the need for multi-  
13 modal roadways that serve motor vehicles, bicyclists, pedestrians; and transit  
14 patrons of all ages and abilities; and

15 (C) That the Complete Streets approach is a nationally recognized  
16 framework for designing context-sensitive street facilities that enable efficient  
17 travel by all users, including the estimated one third of Americans who do not  
18 drive; and

19 (D) That hundreds of municipalities and more than half of U.S. states  
20 have adopted ordinances and policies incorporating Complete Streets  
21 Concepts; and

22 (E) That the Mid Region Council of Governments has passed a  
23 resolution requiring that Complete Streets Principles are to be incorporated  
24 into the Council of Governments Planning Documents; and

25 (F) That Complete Streets have been shown to encourage private  
26 investments and redevelopment of properties they serve and foster new land

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1 use patterns that bolster economic growth and stability, help generate jobs,  
2 attract private investment and tourism, create place-making in areas of high  
3 activity and can increase retail sales and land values; and

4 (G) That Complete Streets integrate general purpose roadways,  
5 sidewalks, bike lanes, transit amenities, traffic calming and convenient  
6 crossings, to create a balanced transportation system that meets the needs of  
7 motorized and non-motorized travelers and persons with disabilities; and

8 (H) That Complete Streets improve community health by reducing the  
9 risk of injuries and encouraging walking and bicycling to help combat obesity  
10 and heart disease; and

11 (I) That Complete Streets promote alternative transportation modes,  
12 helping to reduce street network congestion and vehicle emissions and  
13 increase the capacity of the transportation network; and

14 (J) That the City of Albuquerque is pursuing the development of a  
15 Unified Development Ordinance that will establish updated regulations for  
16 development in the public right-of-way and encourage new land-use patterns  
17 that are best served by balanced transportation systems that facilitate travel  
18 by all users; and the Complete Streets Ordinance establishes key City policies  
19 for roadway design to be incorporated into that effort; and

20 (K) That Section 2.D.4 of the Albuquerque Bernalillo County  
21 Comprehensive Plan establishes as a goal the development of corridors,  
22 streets and complementary adjacent land uses that provide a balanced  
23 circulation system through efficient placement of employment and services,  
24 encouraging bicycling, walking and use of transit as alternatives to  
25 automobile travel while providing sufficient roadway capacity to meet mobility  
26 and access needs; and

27 (L) That Section 2.D.4.a.2 identifies a means of balancing of the street  
28 system by encouraging bicycling, walking and use of mass transit between  
29 designated neighborhood, community and regional centers as an  
30 implementation technique to achieve a balanced transportation system; and

31 (M) That Section 2.B.5 of the Albuquerque Bernalillo County  
32 Comprehensive Plan states that the established urban areas of the City shall

1 offer a variety and a maximum of choices in the housing, transportation, work  
2 areas and life styles, while creating a visually pleasing built environment; and

3 (N) That various adopted local area plans, including Sector  
4 Development and Corridor Plans, establish policies calling for the  
5 development of streets that serve all users; and

6 (O) That multiple street projects aimed at improving accessibility for all  
7 users have been successfully completed around the City in recent years,  
8 including the Lead and Coal Corridors, Martin Luther King Jr. Boulevard and  
9 8<sup>th</sup> Street. These projects have demonstrated the viability of providing for  
10 pedestrians, cyclists, transit users and other while minimizing impacts to  
11 vehicle travel; and

12 (P) That many opportunities remain, especially in established areas of  
13 the City, to improve street rights-of-way for all users, especially where pre-  
14 scheduled projects, such as resurfacing, provide opportunities to consider  
15 new striping configurations; and

16 (Q) That public demand for multi-modal street infrastructure is  
17 increasing across a mutigenerational spectrum of people, especially young  
18 entrepreneurs and empty-nesters.

19 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
20 ALBUQUERQUE:

21 SECTION 2. A new §6-6-5 of ROA 1994 is hereby adopted to read as  
22 follows:

23 "§6-5-6-1 SHORT TITLE.

24 SECTION §6-5-6 ROA 1994 shall be known and cited as the "Complete  
25 Streets Ordinance".

26 § 6-5-6-2 INTENT AND PURPOSES.

27 (A) The intent of Article §6-5-6 et seq. is as follows:

28 (1) To implement and be so interpreted to comply with the New  
29 Mexico Municipal Code (§§ 3-60A-10 et seq. NMSA 1978) and the Constitution  
30 of the State of New Mexico (Article 10, Section 6).

31 (2) To express the City's commitment to creating and maintaining  
32 Complete Streets within the Central and Established Urban Areas specified by  
33 the Albuquerque/Bernalillo County Comprehensive Plan.

1           (3) For residents and visitors, regardless of their age, ability, or  
2 financial resources, to comfortably and efficiently use the public right-of-way  
3 within these corridors and meet their transportation needs regardless of their  
4 preferred mode of travel.

5           (4) To establish the image and identity of street corridors and  
6 improve economic activity on those corridors by providing a framework for  
7 current and future development that integrates sidewalks, bike facilities,  
8 transit amenities, and pedestrian and bicycle crossings into their design.

9           (5) To accommodate and complement improved streetscapes and  
10 pedestrian facilities installed according to the provisions of the City Sidewalk,  
11 Drive Pad, Curb and Gutter Ordinance (§ 6-5-5-1 ROA 1994), the Street Tree  
12 Ordinance (§ 6-6-2-1 ROA 1994) and the Americans with Disabilities Act (ADA).

13       This Article is adopted pursuant to the authority set forth in Article 1 of the  
14 Charter of the City of Albuquerque, which was adopted at a special election on  
15 June 29, 1971, pursuant to Article 10, Section 6 of the Constitution of the State  
16 of New Mexico and pursuant to the authority set forth in Sections 3-19-12 and  
17 Sections 3-20-1 to 3-20-16 NMSA 1978.

18       §6-5-6-4 APPLICABILITY

19       This Article shall apply to all roadways and or segments of a roadway on  
20 City right-of-way which meet the following criteria:

21       (A) Are located within the Central and Established Urban Areas specified  
22 by the Albuquerque/Bernalillo Comprehensive Plan and are listed on the Mid  
23 Region Council of Governments Current Roadway Functional Classification  
24 Map; or

25       (B) Designated a Complete Street by Resolution of the City Council or  
26 action of the Mayor.

27       § 6-5-6-5 DEFINITIONS.

28       COMPLETE STREETS: A roadway with Cross-Sections (including public  
29 right of way and public or private easements abutting a public right of way that  
30 are designated for a roadway) built at a human scale, designed and operated  
31 for equal access by all users, including pedestrians, bicyclists, motorists and  
32 transit riders of all ages and abilities, to allow comfortable and convenient  
33 street crossings, and pedestrian access to adjacent land uses. Complete

1 Streets components include, but are not limited to, sidewalks, bike lanes,  
2 dedicated bus lanes, comfortable and accessible public transportation stops,  
3 frequent and comfortable pedestrian crossing opportunities, median  
4 pedestrian islands, accessible pedestrian signals, curb extensions and  
5 pedestrian bulb-outs, reduced travel lane widths determined by the design  
6 speed of the roadway, context-appropriate curb return radii, roundabouts, or  
7 other features that accommodate efficient multimodal travel.

8 CONNECTIVITY: Frequency by which streets or roadways intersect, or  
9 how closely intersections are spaced.

10 CONTEXT SENSITIVE DESIGN: Design that seeks to balance the need to  
11 move vehicles efficiently with other outcomes specific to communities and  
12 neighboring properties through which a street passes, such as placemaking,  
13 pedestrian-friendliness, historic preservation and economic development.

14 MULTIMODAL LEVEL OF SERVICE: A set of indicators published by the  
15 National Academy of Sciences, National Highway Cooperative Research Board  
16 through "Report 616 and any successor document" used to evaluate the  
17 convenience and comfort of facilities for transit users, pedestrians, bicyclists  
18 and other non-motorized users of the public right of way. These may include,  
19 but are not limited to: the connectivity of sidewalks and paths throughout an  
20 area, the availability and convenience of road crossings for pedestrians, the  
21 separation of non-motorized traffic from motorized traffic, (e.g. sidewalk  
22 widths and distance from traffic lanes, presences of separators like bollards or  
23 trees), motorized traffic speed control (e.g. traffic calming features), way  
24 finding, sense of security (e.g. visibility and lighting of sidewalks), transit  
25 stations, and weather protection.

26 §6-5-6-6 GENERAL POLICY

27 (A) The following complete streets principles shall apply to all projects  
28 on streets that are within the jurisdiction of this ordinance:

29 (1) The overarching goal of any project that affects street  
30 configurations, signalizations, and all other design features shall be based on  
31 improving Multimodal Level of Service (MLOS) as described in the National  
32 Cooperative Highway Research Program's Report 616, Multimodal Level of

1 Service Analysis for Urban Streets and generally defined as comfortable and  
2 efficient accommodations for all users.

3 (2) On-street bicycle facilities shall be designed and implemented  
4 as identified by the Mid-Region Council of Governments' Long Range Bikeway  
5 System Map, the Albuquerque Bikeways and Trails Facility Plan, and the  
6 Albuquerque Area Comprehensive On-Street Bicycle Plan. All projects on any  
7 roadway shall include appropriate measures to facilitate the crossing of  
8 bicycle traffic wherever a designated bicycle facility crosses the street.

9 (3) On roadways that serve industrial and/or freight uses,  
10 complete streets improvements that are consistent with freight mobility and  
11 support other modes of travel shall be considered;

12 (4) Vehicle lane widths shall be governed by the tables for  
13 General Parameters for Arterial Thoroughfares and Collector Thoroughfares  
14 as established in the Manual for Context Sensitive Solutions in Designing  
15 Major Urban Thoroughfares for Walkable Communities published by the  
16 Institute of Transportation Engineers (ITE) and or any successor documents  
17 or standards that may result from amendments or replacements. Urban streets  
18 with vehicle lane widths exceeding 12 feet are strongly discouraged, except  
19 where motor vehicles and bicycles share lanes on Bicycle Routes designated  
20 by the Mid-Region Council of Governments' Long Range Bikeway System  
21 Map.

22 (5) Mid-block Pedestrian Crossings are encouraged and may be  
23 installed as necessary for a project to meet the intent of this ordinance under  
24 the criteria established in the Manual on Traffic Control Devices (MUTCD)  
25 Chapter 3B-18, the Urban Street Design Guide of the National Association of  
26 City Traffic Officials (NACTO), and the Guide for the Planning Design and  
27 Operation of Pedestrian Facilities by the American Association of State  
28 Highway and Transportation Officials (AASHTO). Unsignalized mid-block  
29 crossings are permitted where warranted and should be clearly marked by  
30 signs and other high-visibility features. Where necessary, mid-block  
31 pedestrian crossings shall be controlled by pedestrian-activated conventional  
32 traffic signals or pedestrian hybrid beacons (PHB).

1 (6) Curb cuts serving access points blocked by permanent walls,  
2 fences or other structures that prohibit entry to a lot shall be replaced with  
3 curb, gutter and sidewalk as part of any roadway project.

4 (7) Roadway projects shall be designed to mitigate existing,  
5 insufficient multi-modal facilities such as bicycle lanes which do not meet  
6 minimum engineering criteria for width.

7 (8) Roadway projects on arterial corridors shall prioritize the  
8 comfort of multimodal users by using traffic calming techniques, such as  
9 narrowing traffic lanes, and by providing buffers between vehicle traffic and  
10 pedestrian and bicycle facilities where possible. This may include striped  
11 buffers, adding parallel parking where it does not currently exist or installing  
12 parallel stripes delineating existing parking lanes.

13 (B) All major projects involving streets under the authority of this  
14 ordinance, including road construction, resurfacing, reconstruction of  
15 sidewalks or restriping, shall be considered an opportunity to either retrofit  
16 existing streets or construct new streets consistent with the principles of this  
17 ordinance.

18 (C) The Department of Municipal Development shall annually submit a  
19 memorandum to the City Council listing upcoming projects, to include  
20 scheduled Street Maintenance Program projects such as resurfacing and  
21 other projects including reconstruction, curb, gutter and sidewalk repair or  
22 capital improvement projects. This memorandum shall detail how those  
23 projects will be consistent with the principals of this ordinance and shall  
24 indicate:

- 25 (1) The location, scope and estimated cost of the project.  
26 (2) Whether the project is to be implemented under the Street  
27 Maintenance program or by the Engineering Division.  
28 (3) How the project incorporates any existing policies for street  
29 improvements established by corridor, neighborhood, area, or sector plans, or  
30 the reasons for which implementing such recommendations is not reasonable.  
31 (4) Any Complete Streets improvements recommended by the  
32 Department of Municipal Development for inclusion as part of the project.

1           (5)    The estimated cost of those Complete Streets improvements  
2   (e.g. added engineering costs for new striping diagrams).

3           (6)    Whether and when the improvements can be implemented  
4   through the existing revenues available for maintenance projects or Capital  
5   Improvement Program.

6           (7)    Other potential funding sources that may be required.

7       (D)    Projects may be exempted in part from the requirements of this  
8   ordinance upon review by the Director of Municipal Development or his/her  
9   designee, provided they meet one or more of the following criteria;

10           (1)   Existing adopted ordinances and policies affecting the street  
11   preclude a certain use (e.g. non-motorized vehicles).

12           (2)   The project is a maintenance activity that does not involve  
13   resurfacing, restriping or reconfiguring the street. Examples of exempt  
14   projects include patching, sidewalk repair or cleaning.

15           (3)   The project is limited by available publicly owned right-of-way.

16           (4)   The project is located on state or federal right-of-way, the City  
17   has made an effort to obtain permission for certain features compliant with the  
18   provisions of §6-5-6, and the agency with control of the right of way has  
19   indicated they will not permit requested features.

20       (E)    The City Council may, by resolution, designate certain corridors or  
21   street segments for Complete Streets improvements. The resolution shall:

22           (1)   Establish the transportation modes to be prioritized or  
23   accommodated on the affected corridor.

24           (2)   Provide an estimate of costs to plan, design, engineer and  
25   construct the improvements; and funding sources for the project.

26       (F)    Design and engineering of streets, sidewalks, bikeways and other  
27   facilities shall follow the relevant standards set forth in the following  
28   documents or any successor documents or standards that may result from  
29   their amendment or replacement:

30           (1)   Urban Street Design Guide of the National Association of  
31   City Traffic Officials (NACTO).

32           (2)   Urban Bikeway Design Guide of the National Association of  
33   City Traffic Officials (NACTO).

1                   (3)       Guide for the Planning Design and Operation of Pedestrian  
2 Facilities by the American Association of State Highway and Transportation  
3 Officials (AASHTO).

4                   (4)       Guide for the Development of Bicycle Facilities by the  
5 American Association of State Highway and Transportation Officials  
6 (AASHTO).

7                   (5)       Manual for Context Sensitive Solutions in Designing Major  
8 Urban Thoroughfares for Walkable Communities published by the Institute of  
9 Transportation Engineers (ITE).

10                  (6)       Report 616, Multi-Modal Level of Service Analysis for Urban  
11 Streets, National Cooperative Highway Research Program, (NCHRP).

12                  (7)       Proposed Rights-of-Way Guidelines (PROWAG) United  
13 States Access Board.

14                  (G)       Engineering Criteria. Deviations or alternatives from the  
15 Development Process Manual for intersection spacing, geometry, alignment  
16 and other characteristics shall be considered on a case-by-case basis, and as  
17 approved may be implemented provided they meet the standards set forth in  
18 the documents specified in §6-5-6-6 (F) or any successor documents or  
19 standards that may result from their amendment or replacement.”

20                  SECTION 3. A new Section (N) of §2-12-1 of the Capital Improvement  
21 Ordinance is adopted as follows:

22                  “(N) Applications for funding for street projects proposed on those  
23 streets to which §6-5-6 ROA 1994 applies shall comply with §6-5-6 ROA 1994.  
24 Additional costs incurred due to required compliance with §6-5-6 ROA 1994  
25 shall be detailed.”

26                  SECTION 4. A new Item 19 is added to paragraph §2-12-8 (E) of the Capital  
27 Improvement Ordinance:

28                  “(19) All capacity and rehabilitation project located within the Central and  
29 Established Urban Areas as designated by Albuquerque Bernalillo County  
30 Comprehensive Plan (excluding those located on the Interstate system) shall  
31 comply with §6-5-6 ROA 1994.”

32                  SECTION 5. §4-3-7-5, (B) is amended as follows:

33                  “(B) For purposes of this dedication the following definitions shall apply:

1       **DEFICIENCY.** Deficiency projects are those required to correct inadequate  
2 service and bring system capacity to adopted levels of service  
3 standards. Deficiency expenditures shall enhance the capacity, safety and  
4 efficiency of all modes of travel within the roadway network. New roads and  
5 improvements to existing roadway facilities shall include improvements for all  
6 transportation and mobility modes, including motor vehicles, transit  
7 operations, pedestrians and bicyclists. Deficiency projects shall improve  
8 connections between the various transportation and mobility modes and  
9 complete missing links within the arterial roadway network. Deficiency  
10 projects shall follow complete streets principles as prescribed in §6-5-6.  
11 Deficiency projects shall also include the continued development of Intelligent  
12 Transportation System (ITS) management tools, managed lanes (using  
13 existing lanes for different travel directions depending on demand and time of  
14 day), queue jump lanes (providing transit priority) and other traffic  
15 management strategies that increase the efficiency of existing and newly-  
16 constructed roadways for all transportation and mobility modes. No funds  
17 shall be expended to enhance aesthetics on interstate highways.

18       **REHABILITATION.** Rehabilitation projects are those required to extend the  
19 service life of an existing facility, improve its operation, improve safety, or  
20 restore original performance or capacity. Rehabilitation projects shall follow  
21 complete streets principles as prescribed in §6-5-6. Rehabilitation projects  
22 shall examine the entire right-of-way to enhance usefulness for all  
23 transportation and mobility modes, including improvements for automobiles  
24 as well as for transit, pedestrians, and bicyclists. Rehabilitation projects shall  
25 prioritize the improvement of connections between the various transportation  
26 and mobility modes and shall improve conditions for pedestrians. No funds  
27 shall be expended to enhance aesthetics on interstate highways.

28       **TRAILS AND BIKEWAYS.** Trails and Bikeways projects shall prioritize the  
29 construction of trails and bikeways that are currently identified as critical links  
30 in the Bikeways and Trails Facility Plan and that improve access to transit  
31 routes and major destinations”

32       **SECTION 6. SEVERABILITY CLAUSE.** If any section, paragraph, sentence,  
33 clause, word, or phrase of this Ordinance is for any reason held to be invalid

1 or unenforceable by any court of competent jurisdiction, such decision shall  
2 not affect the validity of the remaining provisions of this Ordinance. The  
3 Council hereby declares that it would have passed this Ordinance and each  
4 section, paragraph, sentence, clause, word, or phrase thereof irrespective of  
5 any provision being declared unconstitutional or otherwise invalid.

6 SECTION 7. COMPILATION. Sections 2 through 5 of this Ordinance shall  
7 be incorporated in and made part of the Revised Ordinances of Albuquerque,  
8 New Mexico, 1994.

9 SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect five (5)  
10 days after publication by title and general summary.

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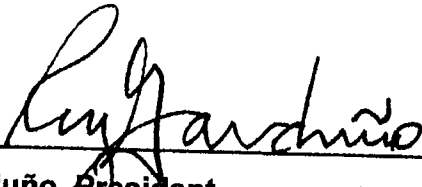
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1 PASSED AND ADOPTED THIS 21<sup>st</sup> DAY OF January 2015  
2 BY A VOTE OF: 9 FOR 0 AGAINST.  
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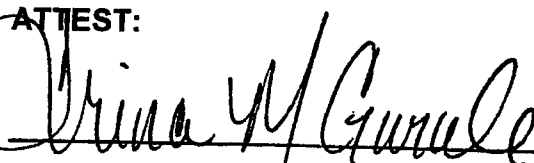
  
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Rey Garduño, President  
City Council  
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14 APPROVED THIS 6<sup>th</sup> DAY OF February, 2015  
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18 Bill No. F/S O-14-27  
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Richard J. Berry, Mayor  
City of Albuquerque  
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26 ATTEST:

  
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Trina M. Gurule, Acting City Clerk  
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